

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

RIGHTHAVEN LLC,
 Plaintiff,

vs.

DEAN MOSTOFI,
 Defendant.

Case No. 2:10-cv-01066-KJD-GWF

ORDER

This matter is before the Court on Defendant's unopposed Motion to Stay the Rule 26(f) Conference (#26), filed April 20, 2011. No opposition was filed.

On June 30, 2010, Plaintiff Righthaven LLC ("Righthaven") filed its complaint in this matter alleging that Defendant Dean Mostofi infringed its copyright in a newspaper article. (#1). This case is one of several cases filed by Righthaven within the District of Nevada and nationwide making virtually identical claims against varied defendants.

On April 20, 2011, Defendant filed a Motion to Dismiss (#25). According to Defendant, the recently unsealed "Strategic Alliance Agreement" irrefutably supports the conclusion that Righthaven does not have standing to bring this suit because it is neither the owner nor exclusive holder of any rights in the copyrighted work underlying the current lawsuit. *See* Ex. A attached to Def's. Mot. to Dismiss (#25).

Recently, in *Righthaven LLC v. Democratic Underground*, Case No. 2:10-cv-01356 (D. Nev.), the Court ruled that Righthaven did not have standing to pursue its claims because the Strategic Alliance Agreement prevented Righthaven from "obtaining any of the exclusive rights necessary to maintain standing in a copyright infringement action." *Righthaven LLC v. Democratic Underground*, Case No. 2:10-cv-01356 (Docket #116, D. Nev., filed June 14, 2011).

1 In light of the ruling in *Democratic Underground* and the likely effect it will have on
2 pending litigation involving Righthaven, the Court finds that there is good cause to stay discovery
3 pending the resolution of Defendant's Motion to Dismiss (#25). Accordingly,

4 **IT IS HEREBY ORDERED** that Defendant's Motion to Stay the Rule 26(f) Conference
5 (#26) is **granted**.

6 DATED this 17th day of June, 2011.

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9 **GEORGE FOLEY, JR.**
United States Magistrate Judge